TL1329-45

PET: the story so far, and a draft agenda for the future

Eric Avebury
Chairman, Parliamentary Human Rights Group
Lisbon, July 23, 1993.

This paper covers the background to the formation of Parliamentarians for East Timor. It summarises the activities of PET since 1988, and suggests areas of work for the future, depending on resources available.

After the Indonesian invasion of East Timor in December 1975, Parliamentary initiatives were taken in a number of countries to support the people of East Timor in their struggle for self-determination. These were all independent of each other; there was no exchange of material or attempt to coordinate policies or tactics. In the UK, the Parliamentary Human Rights Group, an informal all-party body with some 120 Members of all parties in both Houses, raised the subject in both Houses, and in 1982, as chairman, I went to New York to speak at the Fourth Committee meeting - the same meeting that Gough Whitlam, the former Prime Minister of Australia addressed. That was the year the General Assembly adopted Resolution 37/30, which called on the UN Secretary-General to *'initiate consultations with all parties directly concerned, with a view to exploring avenues for a comprehensive settlement of the problem...'*.

In 1985, the Parliamentary Human Rights Group decided to seek the support of colleagues in a number of countries for a declaration urging that representatives of the people of East Timor, as the most important of the 'parties directly concerned' be involved in the consultations; calling for free access to East Timor, and demanding an act of self-determination, verified by international observers. This was launched on June 3, 1975, and initially it attracted 427 signatures from Australia, Denmark, France, Germany, Ireland, Japan, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden and UK. We also received 16 signatures from Members of the European parliament.

At that time we thought of the declaration as being no more than a proof of the substantial feeling in Member states of the UN, that no solution would be acceptable without a democratic expression of views by the people. It was not considered at the time that we had the resources to establish a permanent network of Parliamentarians, to campaign together on common themes. We continued to campaign separately in each of our countries, and the preoccupations of the Parliamentary Human Rights Group in 1985 included the following:

- The visit by the Prime Minister, Mrs Thatcher, to Indonesia, and her failure to mention human rights there, ay any rate in public.

- The refusal of access to the International Committee of the Red Cross, journalists and human rights monitors.

- The need for the aid consortium, the InterGovernmental Group on Indonesia, IGGI, to take human rights into their deliberations.

- The statement by Mgr Belo, on behalf of the Catholic Church, that 'the right of the Timorese people to choose and direct their own future' had been violated.

- The decision of the Australian Federal Minister of Communications, to refuse a licence to maintain radio communications ith the resistance in East Timor.

The experience of collecting the signatures brought home to us the potential for cooperation with like-minded groups in other Parliaments, and we began to think about how this could be organised on a severely limited budget. In the meanwhile we continued our own campaigning, of course. For instance, in August 1986 I again addressed the Fourth Committee of the United Nations; we continued to correspond with the Foreign Secretary and the Secretary-General of the United Nations, and to raise the question of East Timor in both Houses of Parliament.

In Ocober 1985 we made contact with Xanana Gusmao over the radio link from Australia, and in his reply the Commander said that he and other Fretilin leaders would be prepared to meet the Secretary-General anywhere he might designate. It was a sadly missed opportunity, but we still insist that it is for the Secretary-General to bring representatives of the people into the consultations as laid down by the General Assembly.

Finally, in June 1988, an opportunity arose for three Parliamentarians who had been working for East Timor in their own countries to come together in Lisbon, and it was at that meeting that the three - Satsuki Eda of Japan, Tony Lamb of Australia, and myself - launched Parliamentarians for East Timor. At that time it seemed to us there were certain positive developments which could lead to a solution of the problem, and in our founding declaration, which new members are invited to sign, we identified the conditions which had to be satisfied. A just settlement we said, could not be reached unless the negotiations:

- Involve representatives of the East Timorese people, including those who resist the present occupation;

- Secure an end to hostitlities which prevent the people of East Timor and their representatives from contributing freely to negotiations leading to self-determination;

- Provide internationally acceptable standards of access to relief and development agencies and to independent visitors, journalists and diplomats, and

- Include an act of self-determination, which is free from interference and verified by international observers acceptablle to the East timorese people.

At this point I should explain why we felt it right to adopt the declaration with just the three participants, and in particular why Portuguese colleagues were not involved at that stage. The stand taken by our Portuguese colleagues of all parties was a firm and principled one, and there could be no doubt of their commitment to the rights of the East Timorese. On the other hand, it was the contention of the Indonesians that support for the cause had been dwindling everywhere else, to the point where it had been virtually forgotten. We wanted to demonstrate that, on the contrary, Parliamentarians all over the world felt deeply about Jakarta's violation of the United Nations Charter, and their illegal trampling on the rights of a small people. Our efforts were designed to support and reinforce the policies which were being pursued single mindedly by the Portuguese President, Government and Parliament, and I hope we have made a small contribution, within the limits of our resources.

First, we submitted a petition to the Fourth Committee in 1988, and Members have continued to speak at the Fourth Committee since then. In August 1990, four PET Members spoke: Laurie Ferguson (Australia), Ray Funk (Canada),Yasuko Takemura (Japan), and Jose Santos Silva (Portugal).

Second, we obtained advice from distinguished international lawyers on the legality of the Timor Gap Treaty, and conveyed this to the Senators in Australia, one of whom used it extensively.

Third, we have had interchanges between Members in different countries from time to time. I was in Japan in 1990, and in Australia in early 1991, when I had a well-attended press conference with Tony Lamb in Canberra on the Timor Gap Treaty.

Fourth, we organised a multi-national delegation to the United Nations Secretary-General in March 1991, with Members from Australia, Japan, Netherlands, Portugal and UK. This was useful, in that it elicited a statement from the Secretary-General that the Resolutions of the Security Council and the General Assembly on East Timor were still in force. These called on the Indonesians to withdraw their armed forces, and demanded an act of self-determination. The Secretary-General also agreed that consultations with the people of East Timor would be conducted within

the framework of UN General Assembly Resolutions 1514 and 1541 of 1960, an important point to have on the record.

After the Santa Cruz massacre of November 1991, PET Members conducted events in a number of Parliaments. In the UK, we held a public hearing of evidence, which was subsequently published in the form of a booklet.

The examination of witnesses to the Santa Cruz massacre was in fact held under the auspices of the Parliamentary Human Rights Group, and we do not make any distinction between the PHRG and the PET. We know that our colleagues, in Australia or Japan or Canada, for instance, also operate under their own national groups or under PET equally.

What has perhaps been lacking, still, is a greater degree of coordination and interchange of campaigning ideas between the groups, and this has been a question of resources. We could have Members raising particular issues simultaneously in a number of Parliaments; we could try to get joint missions to East Timor going - though when we did make approaches simultaneously to Jakarta from London and Canberra in 1991, we got no answer at all, and they got a point blank refusal. We could try to raise the frequency of Parliamentary contacts within regions; we could plan joint publications; hold press conferences simultaeously in more than one capital; step up our presence at the Fourth Committee; actively seek more members, and so on. There is no shortage of things to do, but they would all cost money.

I do believe the time has come for new initiatives to be taken. The question of self-determination is more firmly on the international agenda, with the liberation of Namibia and Eritrea, the independence of the Republics of the Soviet Union, the peaceful separation of the Czech and Slovak Republics, and the escalation of conflicts which arise from disputes about self-determination in Bosnia, Palestine, Kurdistan, or Kashmir, to mention some examples. Where the imbalance of power between the oppressor and the people who are subject to 'colonial and alien domination' is enormous, as in Tibet, Ogoni or East Timor, there has nevertheless been far more political interest in the outside world. The Dalai Lama is received everywhere now, in spite of Chinese strong arm diplomacy. The statement by Xanana Gusmao has been published in all the western democracies, and has persuaded a new generation of campaigners of the justice of the cause.

So the Indonesian expectation that the question of East Timor would be forgotten over the years has turned out to be completely wrong. More groups are entering the fray all the time, and more Parliamentarians are raising the issue with their own Governments.

The World Conference on Human Rights, in their Vienna Declaration and Programme of Action issued on June 29, reaffirmed the right of self-determination and recognised the right of peoples to take any legitimate action to realise that objective. But they failed the peoples who are still suffering under 'colonial and alien domination' by their silence on how the right of self-determination is to be upheld. Where the subject people have the advantage in military strength, as in Bangladesh or Eritrea - though in the latter case it was not obvious until towards the end that they were going to win - they can achieve self-determination by their own efforts, and what the international community is saying by implication is that peoples have to use armed force, in the absence of any political means of pursuing their aims. But since the main reason for the establishment of the United Nations was to avoid conflicts between states, it is essential that we now turn our attention to the prevention of violence within states, caused by the denial of the right of self-determination. The right has to be made justiciable, so that peoples do not have to resort to force to assert their claims.

In the case of East Timor, we say that no valid request was made for the Indonesian forces to enter the territory in 1975; that the invasion was a violation of the United Nations Charter; that no act of self-determination occurred as the Indonesians claim; that the assembly which purported to ask for integration in 1976 was illegitimate, and its proceedings were contrary to Resolutions 1514 and 1541 of 1960. But let us test the matter before an international tribunal of jurists, so that the whole world can be reminded once again of the facts, and the United Nations of their duties. Perhaps this would be a project worth the attention of an enlarged and revitalised Parliamentarians for East Timor.